

The State Bar of California Annual Meeting 2002

Identity Theft: The New Frontier: Protecting Yourself, Your Clients, and Employees

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DO YOU HAVE AN EVIL TWIN?

- Which is the real lawyer?



WHAT IS IDENTITY THEFT?

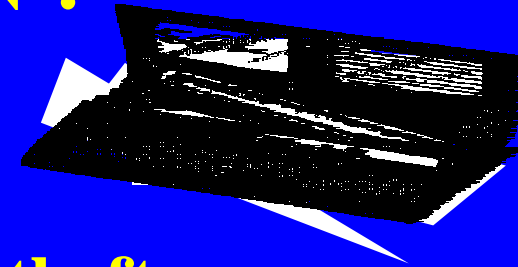
Use of Personal Identifiers for:

- Financial gain
- Avoiding prosecution
- Revenge





HOW DOES IT HAPPEN ?



- Stolen or lost wallet
- You give information
- Dumpster diving
- Mail theft
- Change of address
- Security breaches
- Careless information handling
- Employee theft
- Internet
- Family members
- Guests, roommates
- Skimmers
- Data Sale/Sharing



How Does It Happen In Your Office Or Your Client's Business ?



1. **Negligent Hiring**
2. **Negligent Supervision**
3. **Unauthorized Access**
4. **Breach of Confidentiality**
5. **Non-consensual secondary use, carelessness**
6. **Negligent Security on and off line-unlocked cabinets**
7. **Outsourcing Data Entry**
8. **Improper Disposal of Sensitive Information**

What Are The Dangers To You, Your Clients and Staff?



- **Business Identity Theft**
- **Personal Identity Theft**
- **Ruined Reputation, Financial Loss, Job loss**
- **Destruction of Trust**
- **Embarrassment**
- **Legal Exposure**

HOW CAN YOU PROTECT YOURSELF?

- **Check Credit Reports**
- **Shred information**
- **Limit SS#**
- **Off Promotional lists**
- **1-888-5-OPT-OUT**
- **Limit Sale of your information.**
- **Respond to Privacy Notices**



What Should You & Your Business Clients Do?



- **Conduct Background checks**
- **Limit access to sensitive information**
- **Stop the Sale of personal Information**
- **Secure Data and stop sharing abuse**
- **Limit Collection of Data**
- **Stop Use of SS# & personal identifiers**
- **Keep Audit Trails**
- **Create ID Theft Protection Manuals**
- **Implement Privacy & Confidentiality Training**

What should you do?

- **Establish Data Practices Task Force**
- **Develop privacy policies on and off line**
- **Set forth Procedures to ensure compliance**
- **Discipline failure to protect privacy and confidentiality**



What Should You Do To Protect Everyone in Your Office?



- Train all temporary, regular employees, and contractors on an ongoing basis
- Educate vendors, clients, agents
- Integrate laws, and best practices
- Document procedures
- Coordinate with Law Enforcement

Keys to Protecting Yourself, Your Firm, staff and Clients’

- **Conduct Information Security Audits**
- **Provide privacy and ID Theft Prevention Training & Awareness**
- **Establish Strict Privacy Policies-monitoring control of information on and off line**

